

REMARKS

Prior to this Response and Amendment the claims pending in the application were Claims 1(amended twice), 3(amended), 7(amended), 9(amended), 10(amended), 11, 12(amended twice), 13, 14(amended), 15(amended), 16(amended), 17, 18(amended), 19(amended) and 20(amended).

After amendment, the claims remaining in the application are Claims 1(amended three times), 3(amended), 7(amended), 9(amended), 10(amended), 11, 12(amended three times), 13, 14(amended), 15(amended), 16(amended), 17, 18(amended), 19(amended) and 20(amended twice).

Claims 1, 3, 5 - 7 and 9-10 and 12 - 20 stand rejected under 35 U.S.C., 103(a) as being unpatentable over USP 5,242,968 (Minghetti), USP 5,304,592 (Gharary) and USP 5,130,374 (Cozens).

However, the Applicants note that Claim 11 is deemed allowable based on the Applicants' arguments presented of record and the data set forth in Tables I and II on pages 4 and 26 of the present application.

Thus, Claims 1, 3, 5 - 7 and 9 -10 and 12- 20 are still rejected because their scope reads on the prior art in that their scope includes the use of zero percent impact modifier.

In response, the applicant has amended the other independent claims to require the present of the impact modifier.

The disclosure for the thermoplastic matrix being comprised of 25 or more weight percent poly(alkyl (meth)acrylate) and up to 75 weight percent impact modifier, based on the weight of thermoplastic matrix, is on page 14, lines 13 to 19 of the specification.

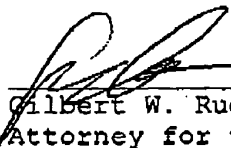
Also, the Examiner points out the obligation under 37 CFR 1.56 to point out the inventor and invention date of each claim that was not commonly owned at the time a later invention was made in order for the Examiner to consider the applicability of 35 USC 103(c) and potential 35 USC 102(f) or (g) prior art under 35 USC 103(a).

All the claims in the present application are commonly assigned and have the same inventorship.

In view of the above, the Applicant believes that the claims herein should now be allowable to the Applicant.

Accordingly, reconsideration and allowance are requested.

Respectfully submitted,

  
Gilbert W. Rudman, Esq.  
Attorney for the Applicants  
Reg. No. 27,589

Date: 06/03/03

ATOFINA Chemicals, Inc.  
Patent Department - 26th Floor  
2000 Market Street  
Philadelphia, PA 19103-3222  
Tel (215) 419-7636  
Fax (215) 419-7075